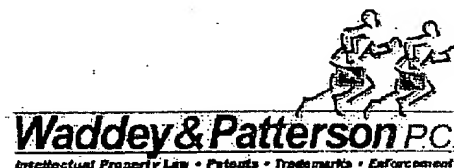


APR 25 2006

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## FAX COVER PAGE

TO: USPTO FROM: Mark J. Patterson  
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FAX NO.: 571.273.8300 PAGES: 18 (including cover page)

DATE: April 25, 2006

**SPECIAL PROCESSING SUBMISSION****PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 C.F.R. § 1.181**

Applicant: Ashley K. Sexton  
Serial No.: 09/966,807  
Filed: August 10, 2006  
For: Real Estate Information System  
Group Art Unit: 3629  
Examiner: Naresh Vig  
Attorney's Docket No.: N2235  
Customer No.: 23456

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APR 25 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashley K. Sexton  
Serial No.: 09/966,807  
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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 C.F.R. § 1.181**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby respectfully requests that the Notice of Abandonment mailed March 31, 2006, in the above-captioned application be withdrawn because the Response and Amendment mailed May 16, 2005 was a compliant response to the Office Action mailed December 14, 2004.

**The Response and Amendment was Compliant**

According to the Examiner, Applicant's Response and Amendment mailed May 16, 2005 was non-compliant with 37 C.F.R. § 1.121(c) "because claims must have status identifiers, the text of withdrawn claims must be presented." Applicant submits that no claims were withdrawn from the application. Instead, claims 33 and 34 were canceled. According to 37 C.F.R. § 1.121(c), canceled claims must be presented 1) with the status identifier "canceled", and 2) without the canceled claim

text. Consequently, applicant did not comply with 37 C.F.R. § 1.121(c) because because the applicant presented the claim text of the canceled claims. While applicant agrees that the amendment did not strictly comply with 37 C.F.R. § 1.121(c), the U.S. Patent and Trademark Office has waived the requirement.

According to the *Acceptance of Certain Non-Compliant Amendments Under 37 C.F.R. § 1.121(c)*, Official Gazette Notices (July 5, 2005), the USPTO waived the 37 C.F.R. § 1.121(c)(4)(i) requirement that no claim text shall be presented with canceled claims. Furthermore, the table of acceptable status identifiers lists "cancelled" as an acceptable alternative for "canceled". As a result, the Response and Amendment was acceptable as of August 11, 2005, the date of the Notice of Non-compliant Amendment. Applicant therefore requests that the Notice of Abandonment be withdrawn.

#### Timeliness of Response

A response to the Notice of Non-Compliant Amendment was not timely filed by Applicant because the Notice was sent to the prior attorney for Applicant and not forwarded to this attorney until after the deadline for responding had passed. Although Applicant's Response and Amendment mailed May 16, 2005 included a correspondence address, to avoid this problem in the future, this paper includes a specific direction to change the correspondence address for this application.

Notice of Change of Correspondence Address

Please send all correspondence related to this application to:

Mark J. Patterson  
Waddey & Patterson  
1600 Division Street Suite 500  
Nashville, TN 37203  
(615) 242-2400

Corrected Response and Amendment

Even though Applicant submits that the technical requirement of 37 C.F.R. § 1.121(c)(4)(i) has been waived by the USPTO, Applicant is concurrently filing a Corrected Response and Amendment to the Office Action dated December 14, 2004 in which the text of the canceled claims has been deleted.

Applicant does not believe that any fee is required for this Petition. However, if a fee is required, please charge any fees or credit any overpayment pursuant to this Petition to Deposit Account 23-0035.

Respectfully submitted,

---


Mark J. Patterson  
Registration No. 30,412  
WADDEY & PATTERSON  
A Professional Corporation  
Customer No. 23456

ATTORNEY FOR APPLICANT

**Certificate of Facsimile Transmission**

I hereby certify that this PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181 is being sent via facsimile to:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
\_\_\_\_\_  
Mark J. Patterson  
Registration No. 30,412

4/25/2006  
\_\_\_\_\_  
Date